

**MINUTES OF THE
STATE WATER DEVELOPMENT COMMISSION**
Tuesday, July 14 2015 – 2:57 – Room 30 House Building

Members Present:

Sen. Margaret Dayton, Senate Chair
Rep. Keith Grover, House Chair
Sen. David P. Hinkins
Sen. Scott K. Jenkins
Sen. Kevin T. Van Tassell
Rep. Joel K. Briscoe
Rep. Melvin R. Brown
Rep. Susan Duckworth
Rep. Don L. Ipson
Rep. Michael E. Noel
Comm. LuAnn Adams
Mr. Tage Flint
Mr. Jay Mark Humphrey
Mr. Dallin W. Jensen
Ms. Voneene Jorgensen
Mr. Darrell H. Mensel
Mr. Warren Peterson

Mr. Gene Shawcroft
Exec. Dir. Mike Styler
Mr. Ron Thompson

Members Absent:

Sen. Gene Davis
Rep. Gage Froerer
Rep. Kay L. McIff
Exec. Dir. Alan Matheson
Mr. Joseph Paulick
Comm. David Ure
Mr. Boyd Workman

Staff Present:

Mr. J Brian Allred, Policy Analyst
Ms. RuthAnne Frost, Associate General Counsel
Ms. Katie LeFevre, Legislative Assistant

Note: A list of others present, a copy of related materials, and an audio recording of the meeting can be found at www.le.utah.gov.

1. Committee Business

Chair Dayton called the meeting to order at 2:57 p.m.

MOTION: Rep. Grover moved to approve the minutes of the November 18, 2014, meeting. The motion passed unanimously with Rep. Briscoe and Rep. Noel absent for the vote.

2. Utah Association of Irrigation and Canal Companies

Mr. Keith Meikle, President, Utah Association of Irrigation and Canal Companies, and Mr. Charles Holmgren, Board Member, Utah Association of Irrigation and Canal Companies, explained the formation and purpose of the Utah Association of Irrigation and Canal Companies. Mr. Meikle expressed the association's interest in participating in the legislative process. Mr. Holmgren explained the cooperation of the association with other groups.

Chair Dayton requested the contact information of Mr. Meikle and Mr. Holmgren be sent to members of the commission.

3. Rural Water Technology Alliance

Ms. Amy Green, President, Rural Water Technology Alliance, and Mr. Adam English, Rural Water Technology Alliance, addressed the commission. Ms. Green explained the problem with lack of water measurement in the state. She talked about the members of the Rural Water Technology Alliance and its purpose. She gave examples of the convenience and benefits of monitoring rivers. Ms. Green stressed the importance of accurate data and suggested implementing a standard state monitoring system.

Mr. Humphrey explained the implementation of measuring systems. He talked about his ability to make changes in real time and the water savings resulting from implementing the system. He also said that monitoring water resolves the majority of conflicts with water users.

Mr. English stated that collecting information is pointless unless it can be used.

Ms. Green, Mr. English, and Mr. Humphrey answered questions from the commission about the association, membership, and software costs.

4. Environmental Protection Agency Clean Water Act Water Rule

Mr. Josh Daniels, Policy Analyst, Libertas Institute, explained his position on the Environmental Protection Agency Clean Water Act Water Rule and suggested that the Legislature assert jurisdiction of intrastate non-navigable water ways. Mr. Daniels informed the commission that Utah's Attorney General Sean Reyes has signed as a plaintiff on one of the four lawsuits filed by other states. He answered questions from the commission about other states' resolutions, the Environmental Protection Agency, and overreach of the Environmental Protection Agency.

MOTION: Rep. Noel moved that the chairs create a resolution regarding the Waters of the United States and Utah's role and jurisdiction of intrastate waters. The motion passed unanimously with Rep. Briscoe and Rep. Duckworth absent for the vote.

Chair Dayton invited Mr. Peterson, Rep. Brown, and Rep. Noel to send their language to staff to help create the resolution.

5. Duchesne County Water Conservancy District / Central Utah Water Conservancy District Water Issues

Mr. Alan Curtis, Attorney, Duchesne County Water Conservancy District, addressed the commission. Mr. Curtis said that there is a vast energy resource in the Uintah Basin that would provide financial benefits to the state and discussed the water needs to be developed to attain those benefits. He discussed oil and gas, shale, and oil sands and suggested a proposed legislative resolution recognizing the resources in the Uintah Basin, its contribution to the economy of the state, and the need for water planning.

Mr. Wayne Pullan, Area Manager, United States Bureau of Reclamation, explained his areas of responsibility. He updated the commission on current projects and the number of employees in the bureau. Mr. Pullan said that the Bureau of Reclamation does not dispute the proposal Mr. Curtis discussed. He explained the importance of research and what the bureau has to offer. He stated that any discussion of water demand and water development in the Uintah Basin has to take into account that the Ute Indian Rights Settlement, in Title 5 of the Central Utah Project Completion Act, has not been ratified.

Mr. Norm Johnson, representing his personal views, observed that county officials need and want water, money, and storage, which is not unusual. He said that more information would be needed to form a legal opinion. He talked about various options for the Uintah Water Basin.

Mr. Kent Jones, State Engineer Director, Utah Division of Water Rights, explained the process to obtain water rights. He talked about the water Utah has allocated and identified storage as a common water need. He strongly supports conducting research on the water needs of the Uintah Basin.

Mr. Eric Millis, Director, Utah Division of Water Resources, addressed the commission. He shared the division's mission and explained how it has helped the Duchesne County Water Conservancy District. He expressed his confidence in using partnerships to develop efficient use for water.

Mr. Gene Shawcroft, General Manager, Central Utah Water Conservancy District, discussed the formation of the water conservancy district. He said that he is disappointed that some of the plans from the Central Utah Project Completion Act were not completed or started. He explained the impact of the Central Utah Water Conservancy District on the state's water resources. He identified recreation opportunities and other benefits due to the Central Utah Water Project. He concluded by saying that the board of the Central Utah Water Conservancy District is ready to help Duchesne and other counties in their district.

6. Other Items/Adjourn

MOTION: Rep Grover moved to adjourn the meeting. The motion passed unanimously with Sen. Hinkins and Rep. Duckworth absent for the vote.

Chair Dayton adjourned the meeting at 5:08 p.m.